

**PHYSICAL THERAPY BOARD OF CALIFORNIA****Consumer Protection Services Program**

1418 HOWE AVENUE, SUITE 16, SACRAMENTO, CA 95825-3204
TELEPHONE (916) 561-8200 FAX (916) 263-2560 TOLL FREE 1-800-832-2251
INTERNET <http://www.ptb.ca.gov>
EMAIL cps@dca.ca.gov

January 31, 2007

Citation No. 06-07-0207

James Jay Cunningham, PT
518 S Auburn Street
Grass Valley, CA 95945

License No. PT 11714

CITATION

Information obtained by the Physical Therapy Board of California (Board) has determined that actions taken by you have violated sections of the law regulating the practice of physical therapy.

A Citation is hereby issued to you in accordance with Section 125.9 of the Business and Professions Code for the violations described below.

The information obtained confirms that you practiced physical therapy without a valid license. Your physical therapy license expired on June 30, 2005, however, you did not submit your renewal fee and change of address information until July 27, 2006.

FIRST CAUSE FOR CITATION

1. Section 2630 of the Business and Professions Code

It is unlawful for any person or persons to practice, or offer to practice, physical therapy in this state for compensation received or expected, or to hold himself or herself out as a physical therapist, unless at the time of so doing the person holds a valid, unexpired and unrevoked license issued under this chapter.

Your physical therapy license expired on June 30, 2005. However, the Board did not receive your renewal fees until July 27, 2006.

SECOND CAUSE FOR CITATION

2. Title 16, California Code of Regulations 1398.6 Filing Addresses

Each licensee shall report to the board each and every change of residence address within 30 days after each change, giving both the old and new address.

Information obtained confirms that you did not notify the Board of your change of address within 30 days. On July 27, 2006, the Board received address change documentation signed by you on July 26, 2006. However, in the document you indicated that your address changed January 15, 2005. Based on the address change documentation signed under penalty of perjury, that the information in the document is true and correct, it has been confirmed that you did not notify the Board of your change of address within the allowed 30 days.

ORDER

Further, **you are ordered to pay a fine of \$1,100.00** (\$1000.00 First Cause & \$100.00 Second Cause) to the Physical Therapy Board of California within thirty (30) days of the date of issuance of the citation or assessment.

If you wish to contest all or any part of this Citation, complete the enclosed "Notice of Appeal -Request for Informal Conference" form and return it to this office within 10 days after receipt of this Citation. The date indicated on the order of abatement will be held in abeyance only for any violation(s) you wish to contest. The time to correct all uncontested violations will be adhered to as specified. In the alternative, you may, within thirty (30) days of the date of issuance of the citation or assessment, request a formal administrative hearing before an administrative law judge under the Administrative Procedure Act.

FAILURE TO RETURN THE REQUEST FOR INFORMAL CONFERENCE FORM OR TO REQUEST AN ADMINISTRATIVE HEARING WITHIN THE TIME INDICATED WILL CONSTITUTE A WAIVER OF YOUR RIGHT TO ADMINISTRATIVELY CONTEST OR APPEAL THIS CITATION.

Administrative Fine

\$ 1,100.00

FOR YOUR PROTECTION AND TO ASSURE PROPER CREDIT,
PLEASE RETURN THE COPY OF THE CITATION
AND NOTE THE CITATION NUMBER ON YOUR CHECK
OR MONEY ORDER.

January 31, 2007
DATE

Original Signed By:
STEVEN K. HARTZELL

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ORDER OF ABATEMENT

January 31, 2007

Citation Against: James J. Cunningham, PT

Citation No. 06-07-0207

First Cause:

Violations: Business and Professions Code Section 2630 .

Description:

It is unlawful for any person or persons to practice, or offer to practice, physical therapy in this state for compensation received or expected, or to hold himself or herself out as a physical therapist, unless at the time of so doing the person holds a valid, unexpired and unrevoked license issued under this chapter.

Second Cause:

Violations: Title 16, California Code of Regulations Section 1398.6 Filing Addresses .

Description:

Each licensee shall report to the board each and every change of residence address within thirty (30) days after each change, giving both the old and new address.

Order of Correction

You are hereby ordered to abate this violation immediately and to cease and desist from further violation.

Failure to comply with the provisions of this Citation and Order of Abatement within thirty (30) days of receipt may result in further legal action.